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RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

JAN 15

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GEORGE D. WEBSTER (1998)  
OF COUNSEL

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J. COLEMAN BEAN  
BURKETT VAN KIRK  
KENT MASTERSON BROWN  
JAMES BOPP, JR.

January 12, 1999

F. Andrew Turley, Esq.  
Supervisory Attorney  
Central Enforcement Docket  
Office of General Counsel  
Federal Election Commission  
Sixth Floor  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 4870  
Christian Coalition

Dear Mr. Turley:

Enclosed is a Statement of Designation of Counsel in MUR 4870 designating this firm as counsel for the Christian Coalition in this matter.

The complaint that has been filed in MUR 4870 objects to a Christian Coalition's voter guide in regard to the gubernatorial and United States Senate races in the 1998 general election in the State of Maryland. The complainant contends that the Christian Coalition is a "highly partisan group" and that its voter guides' "narrow focus distorts the candidates qualifications...[in] a brazen attempt to win votes for the Republican candidates."

The Commission is well aware of the fact that the Christian Coalition is an issues-oriented organization that, among other activities, provides information to the citizenry concerning candidates' stands on issues that are of concern to the Coalition. In providing such information, the Coalition does not express any position as to which candidates a potential voter should vote for or against.

The complaint filed in MUR 4870 provides the Commission with nothing more than the complainant's opinions and characterizations (or, in the Coalition's view, mischaracterizations) of the Coalition's objectives and the purpose of the Coalition's voter guides. Other than the voter guide attached to the complaint in MUR 4870, the complainant provides the Commission with no information which would justify the

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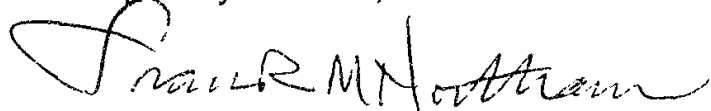
Commission's making a "reason to believe" finding or authorizing an investigation based on the complaint.

In prior MUR's and in ongoing litigation between the Commission and the Christian Coalition, the Commission has acknowledged that the Coalition's voter guides do not contain "express advocacy" and, therefore, generally are not subject to scrutiny by the Federal Election Commission. This is consistent with the Supreme Court's decision in FEC v. Massachusetts Citizens for Life, Inc., 479 U.S. 238 (1986), in which the Court held that "voter guides" and other voter educational materials, which discussed candidates' positions on issues, were beyond the reach of the federal election laws unless such materials contained "express advocacy."

The Christian Coalition voter guide attached to the complaint in MUR 4870 clearly does not contain "express advocacy" since it does not urge recipients of the voter guide to vote for or against any of the listed candidates. As a result, the Christian Coalition voter guide, referenced in the complaint, does not provide the Commission with any basis for initiating an investigation or for further processing of the complaint.

The Christian Coalition requests that the Office of General Counsel recommend to the Commission that the complaint in MUR 4870 should be dismissed and further requests that the Commission dismiss the complaint and find that there is no reason to believe that further proceedings in regard to the complaint are warranted.

Respectfully submitted,



Frank M. Northam

FMN/ctb

cc: Joel Vaughn

# STATEMENT OF DESIGNATION OF COUNSEL

JAN 15 3 10 PM '99

MUR 4870

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WASH. DC 20006

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The above-named individual is hereby designated as my counsel  
and is authorized to receive any notifications and other communications  
from the Commission and to act on my behalf before the Commission.

12-29-98  
Date

Joel V/L  
Signature

Director of Administration  
Special Asst. to the President

RESPONDENT'S NAME: Joel Vaughan

ADDRESS: Christian Coalition

1801-L Sara Drive

Chesapeake, VA 23320

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